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ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/22/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JOSEFINA S., DEAJA D., CYNTHIA Q., SHANTELL S., and
:
BIANCA M., on behalf of themselves and all others similarly
:
situated, :
:
Plaintiffs, :
:
-against- :
:
THE CITY OF NEW YORK, :
Defendant. :
:
..... X

1:17-CV-7661 (VEC)

**ORDER CERTIFYING SETTLEMENT CLASS, APPOINTING CLASS COUNSEL
AND CLASS REPRESENTATIVES, PRELIMINARILY APPROVING
SETTLEMENT, APPROVING CLASS NOTICE, AND SCHEDULING FAIRNESS
HEARING**

VALERIE E. CAPRONI, United States District Judge:

This matter comes before the Court on the motion of Plaintiffs Josefin S., Deaja D., Cynthia Q., Shantell S., and Bianca M. (together, “Named Plaintiffs”), on behalf of themselves and putative Class Members, Defendant supports granting Plaintiffs’ Motion for the reasons set forth under separate cover, for preliminary approval of the Stipulation of Settlement (“the Settlement Agreement”), dated September 15, 2023, and related relief.

NOW IT IS HEREBY ORDERED AS FOLLOWS:

1. Definitions. For the purposes of this Order, the Court adopts by reference the definitions set forth in Paragraph 1 of the Settlement Agreement.
2. Certification of the Class. The Court finds that the proposed class meets the requirements set forth in Rules 23(a) and 23(b)(2), and hereby:

- (a) Certifies under Fed. R. Civ. P. 23(b)(2), for purposes of the proposed Settlement only, a class consisting of: All parents with actual or suspected intellectual or developmental disabilities who have been reported to the New York State Central Register of Child Abuse and Maltreatment, and who have or will be investigated by ACS pursuant to such report;
 - (b) For the purposes of the proposed Settlement, appoints Deaja D. and Shantell S. as the Class Representatives; and
 - (c) For the purposes of the proposed Settlement, appoints the New York Legal Assistance Group and Davis Polk & Wardwell, LLP as Class Counsel pursuant to Federal Rule of Civil Procedure 23(g).
3. Settlement Approval: The Court preliminarily approves the proposed Settlement as set forth in the Settlement Agreement as providing sufficiently fair, reasonable, and adequate relief to the Class.
4. Notice to Class Members: For the reasons set forth in Plaintiffs' Memorandum of Law in Support of Motion for Class Certification in Connection with Settlement, Appointment of Class Representatives and Class Counsel, Preliminary Approval of Parties' Settlement Agreement, and Approval of Notice to Class Members, notice to the class shall be accomplished via distribution as set forth in the class notice plan (Exhibit 1).
5. Fairness Hearing: A Final Approval and Fairness Hearing will be held on January 18, 2024 [date] at 10:30 a.m. . Any Class Member shall have the right to present objections to the settlement orally to Class Counsel, in writing in advance of the Fairness Hearing, or in person at the Fairness Hearing. Class Members who are represented

by counsel may present their objections in writing to josefinaclass@nylag.org and notify Class Counsel if they also wish to speak at the Fairness Hearing.

(a) ~~The Fairness Hearing will be held virtually, via telephone conference and Class~~

~~Members may attend the Fairness Hearing by calling _____ and using
phone conference ID _____ [OR]~~

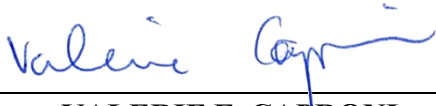
(b) The Fairness Hearing will be held at the United States District Court for the Southern

District of New York, 40 Foley Square, New York, New York Courtroom 443.

6. Final Approval: Papers in support of a motion for entry of a Final Approval Order shall be filed with the Court on or before January 8, 2024 [no later than 10 days before the date of the Fairness Hearing]. Any responses to objections to the proposed Settlement Agreements, and any further papers in support of the motion for entry of the Final Approval Order, shall be filed with the Court on or before January 29, 2024 [no later than ten business days after the date of the Fairness Hearing].

SO ORDERED.

Dated: 9/22/2023
New York, New York



VALERIE E. CAPRONI
UNITED STATES DISTRICT COURT JUDGE